UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,733	10/28/2003	Ghislain Lete	4590-228	6524

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EXAMINER
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ART UNIT	PAPER NUMBER
2165	

DATE MAILED: 06/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/695,733	LETE, GHISLAIN
	Examiner	Art Unit	
	Farhan M. Syed	2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>30 May 2006 and 28 October 2003</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-20</u> is/are pending in the application.

    4a) Of the above claim(s) <u>7-20</u> is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-6</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>28 October 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

        1. ☒ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>031104 and 011305</u>.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-20 are pending.

2.   Claims 7-20 are withdrawn from consideration.

Election/Restrictions

3.   Applicant's election without traverse of Group I (claims 1-6) in the reply filed on

30 May 2006 is acknowledged. Group II (claims 7-20) are withdrawn from further

consideration.

Specification

4.   Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent

and should include that which is new in the art to which the invention pertains. If the

patent is of a basic nature, the entire technical disclosure may be new in the art, and the

abstract should be directed to the entire disclosure. If the patent is in the nature of an

improvement in an old apparatus, process, product, or composition, the abstract should

include the technical disclosure of the improvement. In certain patents, particularly

those for compounds and compositions, wherein the process for making and/or the use

thereof are not obvious, the abstract should set forth a process for making and/or use

thereof. If the new technical disclosure involves modifications or alternatives, the

abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of

the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

(1) if a machine or apparatus, its organization and operation;

(2) if an article, its method of making;

(3) if a chemical compound, its identity and use;

(4) if a mixture, its ingredients;

(5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

Claim Rejections - 35 USC § 112

5.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

6.   Claims 1 and 2 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

7.   The term "elementary file(s)" in claim 1 (line 8) and claim 2 (line 2) is a relative

term that renders the claim indefinite. The term "elementary file(s)" is not defined by the

claim, the specification does not provide a standard for ascertaining the requisite

degree, and one of ordinary skill in the art would not be reasonably apprised of the

scope of the invention. The Examiner will assume that elementary files are template

rules based on the Examiner's understanding of the Applicant's specification.

8.   The term "parameterization" in claim 2 (line 4) is a relative term which renders

the claim indefinite. The term "parameterization" is not defined by the claim, the

specification does not provide a standard for ascertaining the requisite degree, and one

of ordinary skill in the art would not be reasonably apprised of the scope of the

invention. The Examiner will assume that parameterization will be treated as the

execution of the general file in the prosecution of this application.

9.   Regarding claim 6, the phrase "or the like" renders the claim(s) indefinite

because the claim(s) include(s) elements not actually disclosed (those encompassed by

"or the like"), thereby rendering the scope of the claim(s) unascertainable. Instead of

using the phrase "or the like" in this claim, the Applicant uses the phrase "or one of its

variants." The Examiner treats this as equivalent to using the phrase "or the like," thus

rendering this claim indefinite. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 101

10.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 1 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. On line 2 of claim 1, the Applicant uses the phrase "several data retrieval steps." These data retrieval steps may also be mental steps in performing the data retrieval. Since mental steps are not patentable, the phrase "several data retrieval steps" renders the claim as a non-statutory subject matter and unpatentable.

Claim Rejections - 35 USC § 102

11.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12.   Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Heckmatpout (U.S. Patent No. 6,968,346).

As per claim 1, Heckmatpour teaches a method for the management of data,

comprising the steps of: several data retrieval steps, a subset of data being retrieved at

each retrieval step (i.e. *"Input to the design process is received from system designers 402,*

application developers 407 and manufacturing Engineers 404. Output from the design process is

provided to users 414 via XSL style sheets and XSLT transformers 412, which manipulate data from

SOCML database 406 or the optimized design data 421. Each design dataset is transformed into a

standard format for presentation to users based on the design data XSLT or the user environment XSLT."

"Utilizing XML, the query results are extracted from the database and may be further refined on the client

device." The preceding text clearly indicates that a process contained in the query results are several

data retrieval steps. In addition, the prior art teaches the use of XSLT transformers, which an ordinary

person skilled in the art understands that XSLT transformers are used to read the input XML with an XML

parser and convert its content to a tree of nodes. The stylesheet may reference other XML documents via

a document () function calls. These are typically evaluated at run-time, thus a subset of data being

retrieved at each retrieval step is contained in reading an XML document with an XML parser.)(Column

7, lines 40-47; Column 10, lines 26-28); a step for the conversion of the subset of retrieved

data into a language of interoperability in the form of an elementary file, the conversion

step being performed after each retrieval step (i.e. *"This translation is governed by the SOCML*

DTD rules 405, which are applied to SOCML design specification via XML Parser 403." "Each design

dataset is transformed into a standard format for presentation to users based on the design data XSLT or

the user environment XSLT." The preceding text clearly indicates that the language of interoperability is

XML and elementary files are XSLT style sheet. The XSLT language is declarative — rather than listing

an imperative sequence of actions to perform in a stateful environment, an XSLT stylesheet consists of a

template rules (i.e. sub-sequence of commands) collection, each of which specifies what to add to the

result tree when the XSLT processor, scanning the *source tree*, according to a fixed algorithm, finds a

node that meets conditions. Instructions within template rules are processed *as if* they were sequential

instructions; but, in fact, they comprise functional expressions, representing their evaluated results -

ultimately, nodes to be added to the result tree.)(Column 7, lines 36-39 and 45-47); a step for the

edition of a general file in a language of interoperability from several elementary files,

the general file being designed for an external system capable of processing all the

retrieved sets of data transmitted to the general file (i.e. *"XML allows the design teams to*

create SOC-specific smart design documents for exchange across the Web and local or remote

processing of the design data by a set of standard Java applications. Thus, common design data and

design resources management based on XML are utilized and a common design data and design

resources presentation based on XSL are provided. A set of rules is created defining the XML tags that

are utilized for the structure, format, and content of design data components that are exchanged. The

resulting extended XML definition is called SOCML (System-On-a-Chip Markup Language)." The

preceding text clearly indicates that a general file is an instance of a design document.)(Column 6, lines

52-55).

As per claim 2, the limitations of this claim has been addressed or rejected based

on the dependency of claim 1.

As per claim 3, Heckmatpour teaches a method wherein the data retrieval step

comprises the entry of data by a user or the transmission of the data by a source device

(i.e. *"Utilizing XML, the query results are extracted from the database and may be further refined on the*

client device." "Input to the design process is received from system designers, application developers,

and manufacturing Engineers." The previous text clearly indicates that the process contained in the query

results is a data retrieval step, which is based on the entry of data by a user, which is illustrated based on

the input to the design process by system designers, application developers, and manufacturing

Engineers, all of which are instances of a user.)(Column 10, lines 26-28; column 7, lines 40-42).

As per claim 4, Heckmatpour teaches a method wherein, during the data retrieval step, the data is retrieved in a formsheet predetermined as a function of the type of data to be retrieved (i.e. *"Utilizing XML, the query results are extracted from the database and may be further refined on the client device." "Thus, the XML-based search tool provides a more efficient and accurate search capability and returns information containing exactly what the design team member is looking for. The provided information is formatted in its own familiar industry format based on its XSLT style sheet transformation rules. The same design data can be mapped to different XSLT for different users (i.e., different languages or different industry standard formats)."* The preceding text clearly indicates that XSLT style sheets are formsheet that predetermines as a function of the type of data to be retrieved, that is, an XSLT stylesheet consists of a **template rules** collection, each of which specifies what to add to the *result tree* when the XSLT processor, scanning the *source tree*, according to a fixed algorithm, finds a node that meets conditions.)(Column 10, lines 26-28, 41-46).

As per claim 5, Heckmatpour teaches a method, wherein the retrieval step comprises the formatting, by the source device, of the data according to the retrieval formsheet before the data is transmitted (i.e. *"Input to the design process is received from system designers 402, application developers 407 and manufacturing Engineers 404. Output from the design process is provided to users 414 via XSL style sheets and XSLT transformers 412, which manipulate data from SOCML database 406 or the optimized design data 421. Each design dataset is transformed into a standard format for presentation to users based on the design data XSLT or the user environment XSLT."* The previous text clearly indicates that retrieval step to format the data is contained in the design process that transforms the design dataset into a standard format, the source device is the system designers, and the retrieval formsheet is the design data XSLT.)(Column 7, lines 40-47).

As per claim 6, Heckmatpour teaches a method wherein the language of interoperability is XML or one of its variants, or associated with the Java language (i.e. *"The design framework is generated utilizing an eXtensible Markup Language (XML)."* The preceding text clearly indicates that XML is the language of interoperability.)(Column 2, lines 63-64).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farhan M. Syed whose telephone number is 571-272-7191. The examiner can normally be reached on 8:30AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/FRANTZ COBY/
PRIMARY EXAMINER

FMS